

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

JAMES BENARD EDWARDS,)	
)	
Plaintiff,)	
)	
v.)	CV 125-041
)	
THE STATE OF GEORGIA; LOWNDESS)	
COUNTY; LOWNDESS COUNTY)	
DISTRICT ATTORNEYS OFFICE; and)	
GA DEPT. OF CORRECTIONS,)	
)	
Defendants.)	

ORDER

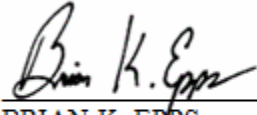
Plaintiff, incarcerated at Augusta State Medical Prison (“ASMP”) in Grovetown, Georgia, filed a pleading in the Augusta Division of the Southern District of Georgia which the Clerk of Court interpreted as a civil rights complaint filed pursuant to 42 U.S.C. § 1983, and he seeks to proceed *in forma pauperis*. However, upon review of Plaintiff’s pleading, it is unclear whether he is attempting to assert civil rights claims against Defendants located in Lowndes County, Georgia, or is attempting to petition for habeas corpus relief from a conviction obtained in Lowndes County.¹

¹In his request for relief, Plaintiff seeks not only monetary relief, but also release from prison. (Doc. no. 1, p. 5.) To the extent Plaintiff includes information about his circumstances at ASMP in this case, (see, e.g., doc. no. 1-1, pp. 7-8), Court records reflect Plaintiff has a separately pending conditions of confinement case that does not name any Defendants located in the Middle District. See Edwards v. Augusta State Medical Prison, CV 125-031 (S.D. Ga. Feb. 26, 2025).

Under either interpretation of Plaintiff's pleading, the case does not belong in the Southern District of Georgia. If Plaintiff intends to bring a civil rights complaint against Lowndes County-based Defendants, for actions which occurred in Lowndes County, the proper venue is the Middle District of Georgia. See 28 U.S.C. § 1391(b). If Plaintiff seeks habeas corpus relief, it is the practice of this Court to transfer an action attacking a conviction to the District in which the original criminal proceedings were conducted, see 28 U.S.C. § 2241(d), which in this case would also be the Valdosta Division of the Middle District of Georgia.

Accordingly, the Court **ORDERS** this case **TRANSFERRED** to the Middle District of Georgia, Valdosta Division. The Court also **DIRECTS** the Clerk to forward the file to that District. For Plaintiff's information, the mailing address for Valdosta Division is: U.S. District Court, 401 North Patterson Street, Valdosta, Georgia 31601.

SO ORDERED this 7th day of March, 2025, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA